BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matters of	)	
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
E911 Requirements for IP-Enabled Service Providers	)	WC Docket No. 05-196
	)	
	)	

SPRINT NEXTEL COMMENTS

Sprint Nextel Corporation submits these comments in support of the petitions for clarification filed by T-Mobile USA and jointly by NENA and the VON Coalition, which ask the Commission to confirm that interconnected VoIP providers may use an automatically derived Registered Location in lieu of end user provided information.[1]

The Commission in its *VoIP E911 Order* did not require interconnected VoIP providers to use automatic location methods because it recognized that it is "not always technologically feasible for providers of interconnected VoIP service to automatically determine the location of their end users without end users' active cooperation."[2] The Commission made clear, however, that interconnected VoIP providers are free to use automated methods if available:

---

[1] *See* T-Mobile Petition for Clarification, WC Docket Nos. 04-36, 05-196 (July 29, 2005) ("T-Mobile Petition"); National Emergency Number Association ("NENA") and Voice on the Net ("VON") Coalition, Joint Petition for Clarification, at 8 (July 29, 2005); Public Notice, *Petitions for Reconsideration and/or Clarification Filed*, DA 05-2277 (Aug. 12, 2005), *published in* 70 Fed. Reg. 51815 (Aug. 31, 2005).

[2] *IP-Enabled Services*, WC Docket No. 04-36, *E911 Requirements for IP-Enabled Service Providers*, WC Docket No. 05-196, *First Report and Order*, FCC 05-116, 20 FCC Rcd 10245, at ¶ 46 (June 3, 2005)("*VoIP E911 Order*"). The FCC is considering requiring use of automated location methods in the NPRM it released concurrently with the order. The issue here is whether VoIP providers may use automated location methods even if not required.

> We emphasize that we are not requiring interconnected VoIP providers to automatically determine the location of their end users. *Nothing in these rules, however, prevents an interconnected VoIP provider from automatically obtaining an accurate Registered Location if it is capable of doing so.*[3]

The Commission further observed that its *Order* "relies *in some cases* on users to provide the location information that will be delivered to PSAPs in an emergency."[4]

Nevertheless, as the NENA/VON Coalition and T-Mobile point out, the Commission also stated in passing that the "most recent location provided to an interconnected VoIP provider *by a customer* is the 'Registered Location.'"[5] This statement, when read in isolation, could be construed to conflict with the Commission's statements above that service providers may use automated location methods when available.

Parties have noted that Wi-Fi-based VoIP services will likely be provided in conjunction with commercial mobile radio services ("CMRS").[6] The CMRS industry understands well the challenges of locating customers who are mobile and has extensive experience in the area of

---

3 *Id.* at n.146.

4 *Id.* at ¶ 56 (emphasis added).

5 *Id.* at ¶ 46 (emphasis added). The *Order* makes this statement even though the definition of "Registered Location" does not require use of customer provided street addresses (*see* 47 C.F.R. § 9.3) and even though the FCC has recognized that street addresses often have little or no relevance with respect to wireless broadband services. *See VoIP E911 Order* at n.148. *See also id.* at ¶¶ 17, 25).

6 *See, e.g.,* T-Mobile Petition at 2 ("[I]t is likely that commercial mobile service providers may more fully integrate their existing CMRS operations with services using unlicensed spectrum to provide IP-enabled services."); Midwest Wireless Report (Sept. 1, 2005)(Midwest provides an integrated CMRS/VOIP service); Motorola Comments at 2 (Aug. 15, 2005) ("Consumers may soon be able to choose . . . a combination of a variety of technology platforms, including cellular, PCS, Wi-Fi, WiMAX, and unknown other technologies.").

E911 services. In addition, the CMRS industry has already deployed significant network infrastructure that can locate mobile customers automatically.[7]

Sprint Nextel agrees with T-Mobile that VoIP services that are integrated with mobile devices may be best served through the use of automated location methods already in place and would, in most circumstances, provide public safety agencies with "the most reliable emergency location information" available, and such methods would generally be superior to use of location information based on the last street address provided by a customer.[8] As NENA has advised the Commission:

> This automatic location information may be more up to date than the "most recent location provided . . . by a customer."[9]

Service providers should be encouraged to utilize the best technology available in locating customers dialing 911 and further encouraged to use their existing infrastructure to the maximum extent possible.[10] Certainly, the public interest is not served by government regulations that have the effect of preventing carriers from taking advantage of existing network capabilities. Indeed, so long as carriers are providing location information, the Commission should continue its policy of technological neutrality regarding the systems used to provide location to

---

[7] Sprint Nextel's entire nationwide CDMA network has been E911 Phase II capable for over three years, and its nationwide iDEN network has been Phase II capable since October 1, 2002. Sprint Nextel currently provides Phase II services to over 1,700 PSAPs.

[8] *See* T-Mobile Petition at 2. *See also id.* at 3 ("As is the case with wireless E911 calls today, location information derived in real time from the network for a particular E911 call will be much more likely to approximate a mobile 911 caller's current location than a user-provided address.").

[9] NENA/VON Coalition Joint Petition at 8. *See also* Boulder Regional; Emergency Telephone Service Authority Comments at 7 (Aug. 15, 2005)("[G]eographic coordinates [should be] provided for mobile services.").

[10] *See, e.g., VoIP E911 Order* at ¶ 5 ("[W]e allow the providers flexibility to adopt a technological solution that works best for them.").

Public Safety agencies in order to encourage innovation.[11] Accordingly, Sprint Nextel agrees with T-Mobile that the Commission should confirm that a Registered Location may include "any automatically derived location information, and is not required to be the most recent customer-provided location information."[12]

The Commission should also confirm that, at least with respect to wireless-based VoIP services, interconnected VoIP providers may deliver to PSAPs location information using geographic longitude and latitude, known as "x, y" coordinates.[13] As the Commission has recognized, use of street addresses as location indicators is often "useless" for customers who are mobile.[14] CMRS Phase II networks are already designed to use x, y coordinates,[15] and over 1,700 PSAPs have already modified their systems to receive and utilize such coordinates.[16] As T-Mobile correctly observes, there is "no good public policy reason for the Commission to require a CMRS provider that offers interconnected VoIP service to deliver the emergency location for

---

11 *See In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Third Report and Order, CC Docket No. 94-102, FCC 99-245 (October 6, 1999) ¶14 "the Commission sought to apply a general policy of technological and competitive neutrality to encourage innovation and efficiency, while continuing to consider the possibility of further improvements in technology in ALI."

12 T-Mobile Petition at 5.

13 *See* T-Mobile Petition at 10-11.

14 *See VoIP E911 Order* at ¶ 17.

15 Indeed, FCC rules require that Phase II location information be delivered by "longitude and latitude." 47 C.F.R. ¶ 20.18(e). NENA has begun using the term "geodetic" to refer to "latitude and longitude or analogous expressions of location." *See* NENA Comments at 6 n.5 (Aug. 15, 2005).

16 *See, e.g.*, Boulder Regional; Emergency Telephone Service Authority Comments at 7 (Aug. 15, 2005)("Many PSAPs have purchased upgrades to their CAD systems which display geographic coordinates for a wireless E911 call in real time.").

VoIP calls in street address form while the same information for CMRS calls is delivered in latitude and longitude form."[17]

Finally, the Commission should confirm that, at least for CMRS carrier provided VoIP services, PSAPs and carriers should continue to utilize the same procedures they have used with Phase I and Phase II services.[18] The Commission has already developed rules governing when a CMRS carrier must begin providing location information to PSAPs (*e.g.,* service must ordinarily be provided within six-months of a request, although the parties may negotiate different deadlines).[19] These procedures are understood and followed. PSAPs and CMRS providers should not be forced to use different procedures when CMRS carriers begin providing interconnected VoIP services.

For the foregoing reasons, Sprint Nextel respectfully requests the Commission to grant the T-Mobile and NENA/VON Coalition petitions for Clarification.

Respectfully submitted,

SPRINT NEXTEL CORPORATION

/s/ Luisa L. Lancetti
Luisa L. Lancetti
Vice President
Government Affairs – Wireless Regulatory

Charles W. McKee
General Attorney

Sprint Nextel Corporation
401 9th Street, N.W., Suite 400
Washington, D.C. 20004
(202) 585-1949

September 15, 2005

---

17 T-Mobile Petition at 11.

18 *See* T-Mobile Petition at 8-10.

19 *See* 47 C.F.R. § 20.18(j).

CERTIFICATE OF SERVICE

I hereby certify that, on this 15th day of September 2005, copies of the foregoing Sprint Nextel Comments in WC Docket Nos. 04-36 and 05-196 were sent by first class mail, postage prepaid, to the parties listed below.

/s/ Jo-Ann G. Monroe
Jo-Ann G. Monroe

Thomas J. Sugrue
Robert A. Calaff
Daniel J. Menser
T-Mobile USA, Inc.
401 9th Street, N.W., Suite 550
Washington, D.C. 2004

James R. Hobson
Miller & Van Eaton
1155 Connecticut Avenue, N.W., Suite 1000
Washington, D.C. 20036-4320

Brad E. Mutschelknaus
Todd Daubert
Jason R. Karp
Kelley Drye & Warren
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036

John T. Nakahata
Harris, Wiltshire & Grannis
1200 18th Street, N.W., Suite 1200
Washington, D.C. 20036

Jim Kohlenberger
The VON Coalition
1718 M Street, N.W., PMB #336
Washington, D.C. 20036